

Appln No.: 09/932,914

Amendment Dated: September 15, 2003

Reply to Office Action of May 7, 2003

REMARKS ARGUMENTS

This is in response to the Official Action mailed May 7, 2003 for the above-captioned application. Applicants request an extension of time and enclose the appropriate fee. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 07-0862.

Reconsideration of the application, as amended, is respectfully requested.

The claims have been amended to combine the limitations of claims 1 and 5. Claims 2-5 have been canceled, and other claims have been amended to correct errors in dependency. Claim 23 has been amended to state that the polycarbonate composition also includes the flame retardant component as in claim 1, and to reflect that the order of addition of the cyanoacrylic ester and the flame retardants is not critical. Claim 24 has been similarly amended and also amended to correct an omission, such that the amount of cyanoacrylate is indicated to be sufficient to improve both weathering and flame retardance performance, thus accomplishing the stated objective of the method. Claims 26 and 27 have been also been canceled.

The specification has been amended to correct the attempted incorporation by reference of a foreign patent. It is noted that the German Patent DE 41 22 475 corresponds to US Patent No. 5,443,820 which is of record.

The Examiner rejected claims 2-4 under 35 USC § 112, second paragraph. These claims have been canceled.

Claims 1-4, 8 and 14-27 were rejected as anticipated by Sakashita et al (US 5,470,938) or General Electric (EP 0 675 159). Since claim 1 has been amended to include the limitation of claim 5, which was not rejected, this rejection is rendered moot with respect to claim 1 and claims 6-22 and 25 which are dependent thereon.

With respect to claims 23 and 24, the Examiner has not advanced any reason why the person skilled in the art would add a cyanoacrylic ester to a polycarbonate to increase flame retardance (claim 23) or weathering and flame retardance (claim 24). In the case of both Sakashita and General Electric, the stated function of the cyanoacrylic ester is as an ultraviolet light absorbing agent. Thus neither reference teaches the methods as claimed in claims 23 and 24.

The Examiner also rejected claims 1-4, 8, 13 and 16027 as anticipated by Van Neuffel

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rejected, this rejection is rendered moot with respect to claim 1 and claims 6-22 and 25 which are dependent thereon. With respect to claims 23 and 24, the same arguments as above apply, since Van Neuffel discloses cyanoacrylic esters only as UV absorbers.

The Examiner also rejected claims 1-27 as obvious over Sakashita, Van Neuffel or General Electric in view of various additional references that disclose flame retardant materials of various types.¹ The Examiner argued that the combination of these materials with polycarbonate and a cyanoacrylate, present as a UV absorber, would have been obvious. Applicants submit that the Examiner must take into account the unexpected fact that the compositions resulting from such a combination of material have better flame retardance and better weatherability than the individual starting materials. This unexpected result precludes a conclusion of obviousness, since achieving flame retardance was evidently a goal of persons skilled in the art, yet the benefits of the specific combinations as claimed for achieving enhanced fire retardance were not recognized.

This unexpected benefit can be seen from a consideration of the examples in the present application. For example, on Page 12, it can be seen that Control 2, which contains a composition which is identical to the compositions of Inventive 1 and Inventive 2 except for the nature of the UV stabilizer, has by far inferior flame retardance. Cyasorb 5411 (not notwithstanding its trade name) is not a cyanoacrylate, but a benozotriazole, and produces very poor flame test results, which are worse than the Control 1 composition without UV stabilizer. In contrast, Uvinol 3039 and 3035, which are cyanoacrylic esters, produce better flame results than Control 1. The same type of results are observed in the table on Page 14, and 17.

Applicants note that US 6,353,046 is not properly cited against the present application as part of an obviousness rejection because it was the subject of a

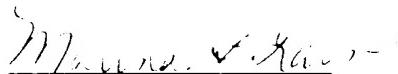
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For the foregoing reasons, Applicants submit that all of the claims of this application are in form for allowance. Favorable reconsideration and allowance of all claims are respectfully urged.

Respectfully submitted,



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